Non-casting of Votes

†4177. DR. MURLI MANOHAR JOSHI:
SHRI RAVI SHANKAR PRASAD:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that rule 49(0) of Conduct of Election Rules, 1961 empowers an unsatisfied voter to refuse to cast votes in favour of all candidates;

(b) if so, the details thereof;

(c) whether it is also a fact that the Election Commission does agree to recognize this rule as law; and

(d) if so, the facts thereof and whether Government would consider to make this rule a law?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) rule 49(0) of the conduct of Elections Rules, 1961 provides that if an elector, whose electoral roll number has been duly entered in the register of voters in Form 17A at the polling station and has put his signature or thumb impression thereon as required by under sub-rule (1) rule 49L of the conduct of Elections Rules, 1961, decides not to record his vote, a remark to this effect shall be made against the entry in the Form 17A by the presiding officer and the signature or thumb impression of the elector shall be obtained against such remark.

(c) Rule 49(0) being part of the Conduct of Elections Rules, 1961, the question of the Election Commission not recognizing the same does not arise.

(d) Does not arise.

Disposal of pending cases

4178. SHRI SANTOSH BAGRODIA:
SHRI KALRAJ MISHRA

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the steps Government are taking to reduce the accumulation of cases in civil and criminal courts all over the country;

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†Original notice of the question was received in Hindi.

(b) whether Government will consider putting a time limit within which the cases have to be finalized; and

(c) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI H R. BHARDWAJ): (a) Disposal of cases, its manner, time taken indisposing a case and related aspects are in the matters falling in the exclusive domain of judiciary. However, the Government with a view to reducing pendency has increased the Judge strength from time to time. Besides this, measures such as grouping of cases involving common questions of law, constitution of specialized benches and organizing Lok Adalats at regular intervals, etc. have been taken. Alternative modes of disposal including mediation, negotiation and arbitration have been encouraged. Special tribunals like Central Administrative Tribunal, State Administrative Tribunals, Income Tax Appellate Tribunals, Family Courts, Labour Courts, Consumer Courts etc. have been set up to expedite disposal of cases in different areas.

Information technology is being used in generation of cause lists, providing information to the litigants/Advocates etc. for speedy disposal of cases. Fast Track Courts (FTCs) for the disposal of long pending cases, particularly sessions cases and cases involving undertrails in jails have been set up. The Government has extended the term of existing 1562 Fast Track courts, which were functional as on 31.3.2005, for another five years *i.e.* upto 31.3.2010 for clearing huge pendency of cases at District level.

The Code of Criminal Procedure has also been amended to introduce certain provisions for speedy disposal of cases. The concept of plea bargaining was also introduced.

(b) and (c) disposal of a case in the court being in the domain of the judiciary, Government does not interfere in that jurisdiction.

Application of RTI Act on Supreme Court

4179. BR.ABHISHEK MANU SINGHVI:
SHRI VIJAYJ.DARDA:
SHRIMATI MOHSINA KIDWAI:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government are aware of the Supreme Court's claim that Right to Information could compromise the independence of the judiciary;